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| 10/092,674 | 03/07/2002 | Stephen C. Larson | SCL-1 | 3784 |

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EXAMINER

TRAN, QUOC A

| ART UNIT | PAPER NUMBER |
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2176

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/092,674

Applicant(s)

LARSON, STEPHEN C.

Examiner

Quoc A. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 60/278,675.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/07/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to application filed 03/07/2002.
2. Claims 1-21 are pending. Claims 1, 9 and 13 are independent claims.

Claim Objections

3. Claim 21, objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form, see Claim 21, Preliminary Amendment, page 1, " Claim 21.the method of claim 1", wherein claim 1 is a "system". Appropriate correction is required.
4. Claim 14 objected to because of the following informalities: number 13 is in a smaller font size. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1, 9-11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable by Reilly et al. US Patent No. 5,740,549 issued 04/14/1998 filed 06/12/1995 (hereinafter '549), in view of Mitchell et al. US Patent No.**

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5,963,966 issued 10/05/1999 filed 11/08/1996 (hereinafter '966), further in view of Kojima US Patent No. 6,081,277 issued 06/27/2000 filed 09/25/1996 (hereinafter '277).

In regard to independent claim 9, “collecting advertiser digital copy”, as taught by ' 549 at col. 2, lines 60-67 (i.e.... an information and advertising distribution system. A information server stores and updates a database of information items and advertisements...), “*publishing the web page*”, as taught by 549 at col. 2, lines 39-41 (i.e. ...present news stories and advertisements in a dynamic and easy to read manner...),

'549 does not explicitly teach, “*digital copy from a print media source*”, however, as taught by '966 at col. 5, lines 35-40 (i.e..... converting paper documents into a hypertext-based format so that they can be accessed through networks such as the Internet or on media such as disk or CD-ROM...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '966 into '549 to provide a way to convert print media source into digital copy, wherein digital copy is the source data of advertise web page. One of ordinary skill in the art would have been motivated to perform such a modification to provide form-based recognition (utilization of document structure knowledge) and image-based information retrieval (robustness), so that it may be directly accessed through the Internet using current browsers such as Mosaic, Netscape and Microsoft's Explorer, as taught by '966 at Abstract (i.e.... form-based recognition (utilization of document structure knowledge) and image-based information retrieval (robustness)....).

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'549 and '966 do not explicitly teach, "*creating, using an image size reduction operation, a reduced-size preview image of the advertiser digital copy, wherein at least one dimension of the preview image is determined in accordance with a predetermined size; associating text-based content with the preview image in a web page*", however, as taught by '277 at col. 2, lines 38-65 (i.e..... for controlling image display, comparison ... The compression means adjusts at least one of the lengths of the frame of image to the length of the window ...), "*wherein the preview image is a selectable object that is linked to a full-size image of the advertiser copy*", as taught by '277 at col. 6, lines 40-65 (i.e.... The data in area R.sub.2 for image data 52 is transferred to and displayed in area A.sub.2 of window 41 directly (without being compressed)).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '277 into '549 and '966 provide a way for creating, using an image size reduction operation, a reduced-size preview image of the advertiser digital copy, wherein at least one dimension of the preview image is determined in accordance with a predetermined size; associating text-based content with the preview image in a web page, wherein the preview image is a selectable object that is linked to a full-size image of the advertiser copy. One of ordinary skill in the art would have been motivated to perform such a modification for presenting mixing advertisements with information dissemination are newspapers in a dynamic and easy to read manner, as taught by '549 at col.1, line 35 through col. 2, line 60 (i.e..... mixing advertisements with information dissemination are newspapers and

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magazines...), and for speedily and reliably recognized the displaying images, as taught by '277 at col.2, lines 5-10 (i.e.... enable the entire area of one frame of image to be recognized speedily and reliably...).

In regard to dependent claim 10, *"digitizing the advertiser hard copy from a print media source to create the advertiser digital copy as a digital image"*, as taught by '966 at col. 5, lines 35-40 (i.e..... converting paper documents into a hypertext-based format so that they can be accessed through networks such as the Internet or on media such as disk or CD-ROM...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '966 into '549 and '277 to provide a way to convert print media source into digital copy, wherein digital copy is the source data of advertise web page. One of the ordinary skills in the art would have been motivated to perform such a modification to provide form-based recognition (utilization of document structure knowledge) and image-based information retrieval (robustness), so that it may be directly accessed through the Internet using current browsers such as Mosaic, Netscape and Microsoft's Explorer, as taught by '966 at Abstract (i.e.... form-based recognition (utilization of document structure knowledge) and image-based information retrieval (robustness)....).

In regard to dependent claim 11, *"digital image in a graphics interchange file format (.gif)"*, as taught by '549 at col. 13, lines 15-20 (i.e.... advertisement, the subscriber's computer is automatically connected to the an

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associated World Wide Web page on the Internet that provides additional information from the advertiser...typically representing a "GIF" format image...).

In regard to independent claim 1, directed to a system for performing the method of claims 9 and 13, and is similarly rejected along the same rationale.

In regard to dependent claim 21, directed to an advertisement for performing the method of claim 9, and is similarly rejected along the same rationale.

7. **Claims 2-8 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable by Reilly et al. US Patent No. 5,740,549 issued 04/14/1998 filed 06/12/1995 (hereinafter '549), in view of Mitchell et al. US Patent No. 5,963,966 issued 10/05/1999 filed 11/08/1996 (hereinafter '966), further in view of Kojima US Patent No. 6,081,277 issued 06/27/2000 filed 09/25/1996 (hereinafter '277), and further in view of Angiulo et al. US Patent No. 6,275,829 issued 08/14/2001 filed 11/25/1997 (hereinafter '829).**

In regard to independent claim 13, incorporate substantially similar subject matter as cited in claim 9 above, and in further view of the following, and is similarly rejected along the same rationale.

"uploading the web page for access by other computers", as taught by '549 at col. 3, line 65 through col. 4, line 5 (i.e.... advertising distribution system 100 having many client computers ...Client computers are often called "subscribers' computers" ...), "saving the resized image data as a preview file; incorporating the preview file into the web page", as taught by '549 at col. 4, line 65 through col. 5, line (i.e. ...Advertisements 138 are also stored in the

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information database 134 ... Each advertisement is displayed on subscribers' workstations simultaneously with news items assigned to the same category as the advertisement...),

'549, '966 and '277 do not explicitly teach, "*determining the size of full-size display advertisement images to be incorporated into the web page*", however, as taught by '829 at col. 9, lines 28-48 (i.e..... FIG. 3... A scaleable image 66 is illustrated in dialog box 60 and has dimensions corresponding to the dimensions of the thumbnail image that will be created in the Web page. The user selects a dimension (i.e., height or width) of scaleable image 66 to be ... the size of the original image, i.e., a reduction factor of 10:1...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '829 into '549, '966 and '277 to provide a way to determining the size of full-size display advertisement images to be incorporated into the web page. One of ordinary skill in the art would have been motivated to perform such a modification to shortening the download time of a large Web page, and reduction in the size of an image included in a Web page tends to cause a corresponding decrease in the amount of data that must be downloaded by the user for viewing the image. A thumbnail image created from an original (full size) image typically conveys sufficient information so that a person viewing the thumbnail image is aware of the content of the original image, as taught by '829 col. 5, lines 25-40 (i.e.... shortening the download time of a large Web page...).

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In regard to dependent claim 12, *“creating a reduced-size preview image includes retaining the aspect ratios of the digital copy so as to facilitate the placement of dissimilarly sized advertisements in locations having a common dimensional limitation”*, as taught by ‘829 at col. 9, lines 28-48 (i.e..... FIG. 3... A scaleable image 66 ...The user selects a dimension (i.e., height or width) of scaleable image 66 to be specified with a drop-down menu 68...The aspect ratio (ratio of height to width) of the original image is maintained in the thumbnail image... the size of the original image, i.e., a reduction factor of 10:1...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified ‘829 into ‘549, ‘966 and ‘277 to provide a way to creating a reduced-size preview image includes retaining the aspect ratios of the digital copy so as to facilitate the placement of dissimilarly sized advertisements in locations having a common dimensional limitation. One of ordinary skill in the art would have been motivated to perform such a modification to shortening the download time of a large Web page, and reduction in the size of an image included in a Web page tends to cause a corresponding decrease in the amount of data that must be downloaded by the user for viewing the image. A thumbnail image created from an original (full size) image typically conveys sufficient information so that a person viewing the thumbnail image is aware of the content of the original image, as taught by ‘829 col. 5, lines 25-40 (i.e.... shortening the download time of a large Web page...).

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In regard to dependent claim 14, *"wherein the one dimensional requirement is an image width limitation"*, as taught by '829 at col. 9, lines 28-48 (i.e..... FIG. 3... The user selects a dimension (i.e., height or width) of scaleable image 66 to be specified with a drop-down menu 68 ...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '829 into '549, '966 and '277 to provide a way to determining the size of full-size display advertisement images to be incorporated into the web page, wherein the one dimensional requirement is an image width limitation. One of ordinary skill in the art would have been motivated to perform such a modification to shortening the download time of a large Web page, and reduction in the size of an image included in a Web page tends to cause a corresponding decrease in the amount of data that must be downloaded by the user for viewing the image. A thumbnail image created from an original (full size) image typically conveys sufficient information so that a person viewing the thumbnail image is aware of the content of the original image, as taught by '829 col. 5, lines 25-40 (i.e.... shortening the download time of a large Web page...).

In regard to dependent claim 15, *"wherein the resized image width limitation is a 200 pixel column width limitation associated with the web page layout"*, as taught by '829 at col. 9, lines 28-60 (i.e..... FIG. 3... selecting a width of 100 pixels for the thumbnail image will automatically cause the height of the thumbnail image to be 200 pixels...).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '829 into '549, '966 and '277 to provide a way to determining the size of full-size display advertisement images to be incorporated into the web page, wherein the resized image width limitation is a 200 pixel column width limitation associated with the web page layout. One of ordinary skill in the art would have been motivated to perform such a modification to shortening the download time of a large Web page, and reduction in the size of an image included in a Web page tends to cause a corresponding decrease in the amount of data that must be downloaded by the user for viewing the image. A thumbnail image created from an original (full size) image typically conveys sufficient information so that a person viewing the thumbnail image is aware of the content of the original image, as taught by '829 col. 5, lines 25-40 (i.e.... shortening the download time of a large Web page...).

In regard to dependent claim 16, *"wherein the resized image is automatically scaled in at least two dimensions in accordance with the at least one dimensional requirement"*, as taught by '829 at col. 9, lines 28-60 (i.e..... FIG. 3... selecting a width of 100 pixels for the thumbnail image will automatically cause the height of the thumbnail image to be 200 pixels. It is also contemplated that the size of the thumbnail image might be specified as a reduction ratio...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '829 into '549, '966 and '277 to provide a way to determining the size of full-size display advertisement images to

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be incorporated into the web page, wherein the resized image is automatically scaled in at least two dimensions in accordance with the at least one dimensional requirement. One of ordinary skill in the art would have been motivated to perform such a modification to shortening the download time of a large Web page, and reduction in the size of an image included in a Web page tends to cause a corresponding decrease in the amount of data that must be downloaded by the user for viewing the image. A thumbnail image created from an original (full size) image typically conveys sufficient information so that a person viewing the thumbnail image is aware of the content of the original image, as taught by '829 col. 5, lines 25-40 (i.e.... shortening the download time of a large Web page...).

In regard to dependent claim 17, "*the images within the web page are also hyperlinks to an associated full-size image*", as taught by '829 at Abstract (i.e. ... original (full size) image is automatically represented by a thumbnail (reduced size) image on a Web page. A user selects the original image that will be represented by the thumbnail image. The thumbnail image is produced and placed into a Web page that is being created or edited. While viewing the Web page, selection of the thumbnail image causes a hyperlink to the original image that is automatically associated with the thumbnail image to be traversed, so that the original image is retrieved and displayed...).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified '829 into '549, '966 and '277 to provide a way to determining the size of full-size display advertisement images to

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be incorporated into the web page, wherein the images within the web page are also hyperlinks to an associated full-size image. One of ordinary skill in the art would have been motivated to perform such a modification to shortening the download time of a large Web page, and reduction in the size of an image included in a Web page tends to cause a corresponding decrease in the amount of data that must be downloaded by the user for viewing the image. A thumbnail image created from an original (full size) image typically conveys sufficient information so that a person viewing the thumbnail image is aware of the content of the original image, as taught by '829 col. 5, lines 25-40 (i.e.... shortening the download time of a large Web page...).

In regard to dependent claim 18, *"the preview files are periodically moved relative to one another on the web page"*, as taught by '549 at col. 5, lines 24-33 (i.e. ... The information database 134 also stores a set of "display scripts" 142. A script controls the display of news items and advertisements, typically displaying a selected number of news items and one advertisement for a period of 30 seconds. A script determines the number of news items displayed, determines the positions of the news items and advertisement on the display, determines any movement of the news items around the displayed image, and determines what background image or images are displayed in conjunction with the news items...).

In regard to dependent claim 19, *"the location of the preview images is determined as a function of a category of the web page"*, as taught by '549 at col. 4, line 65 through col. 5, line 5 (i.e. ... Advertisements 138 are also stored

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in the information database 134 and each advertisement is assigned to at least one of the predefined information categories. Each advertisement is displayed on subscribers' workstations simultaneously with news items assigned to the same category as the advertisement...).

In regard to dependent claim 20, *"textual content displayed on the web page is archival content and wherein the image files, including images of full-size display advertisements and corresponding reduced-size preview images, are current advertisements"*, as taught by '549 at col. 4, line 65 through col. 5, line 6 (i.e. ... Advertisements 138 are also stored in the information database 134 and each advertisement is assigned to at least one of the predefined information categories. Each advertisement is displayed on subscribers' workstations simultaneously with news items assigned to the same category as the advertisement. When an advertisement is assigned to multiple categories, it is treated in most respects as several advertisements each assigned to one category...).

In regard to dependent claim 2, is directed to a system for performing the method of claim 17, and is similarly rejected along the same rationale.

In regard to dependent claim 3, is directed to a system for performing the method of claim 14, and is similarly rejected along the same rationale.

In regard to dependent claim 4, is directed to a system for performing the method of claim 12, and is similarly rejected along the same rationale.

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In regard to dependent claim 5, is directed to a system for performing the method of claims 13 and 17, and is similarly rejected along the same rationale.

In regard to dependent claim 6, directed to a system for performing the method of claim 18, and is similarly rejected along the same rationale.

In regard to dependent claim 7, directed to a system for performing the method of claim 19, and is similarly rejected along the same rationale.

In regard to dependent claim 8, directed to a system for performing the method of claim 20, and is similarly rejected along the same rationale.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dabney et al USPAT- 6,643,663 issued 11/04/2003 filed 10/08/1999

Langford-Wilson USPAT- 6,589,292B1 issued 07/08/2003 filed 03/29/1999

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quoc A. Tran whose telephone number is (703) 305-8781, **"After mid-Oct, 2004, the examiner can be reach at (571) 272- 4103"**. The examiner can normally be reached on Monday through Friday from 8:30AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.


For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Quoc A. Tran

Patent Examiner

Technology Center 2176

September 16, 2004


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER